

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PAUL TAVERNIER, et al.,

Plaintiffs,

v.

FCA US, LLC,

Defendant.

No. 2:23-cv-00889-DAD-CKD

ORDER ENTERING JUDGMENT AGAINST
DEFENDANTS PURSUANT TO NOTICE OF
ACCEPTED RULE 68 OFFER

(Doc. No. 14)

On October 9, 2023, plaintiffs filed a notice of acceptance of defendant's Federal Rule of Civil Procedure 68 offer of judgment. (Doc. No. 20.) Therein, plaintiffs request that judgment be entered in their favor in the amount of \$166,777.32 pursuant to the terms of the accepted Rule 68 offer. (*Id.* at 2.)

Under Federal Rule of Civil Procedure 68(a), a defendant may serve an offer to allow judgment on specified terms to the opposing party at least two weeks before trial. Fed. R. Civ. P. 68(a). Any acceptance by the opposing party of the offer must be made through written notice. *Id.* Thereafter, "either party may then file the offer and notice of acceptance, plus proof of service." *Id.*

Here, defendant FCA US, LLC served plaintiff with a Rule 68 offer of judgment in the amount of \$166,777.32, plus reasonable attorneys' fees and costs in an amount to be determined by the court upon a noticed motion if the parties are unable to resolve the issue of attorneys' fees

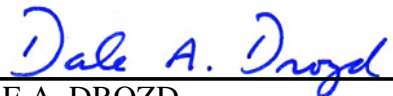
1 and costs themselves. (*See* Doc. No. 14 at 2.) Plaintiffs accepted the offer in writing on
2 September 18, 2023. (*Id.* at 6.) Plaintiffs now requests that judgment be entered in favor of
3 plaintiffs and against defendant FCA US, LLC in the sum of \$166,777.32, and that the matter of
4 reasonable attorneys' fees and costs be reserved, to be resolved by the parties or determined by
5 the court on motion. (*Id.* at 5.) Defendant also reserved the right to oppose plaintiffs' motion for
6 attorneys' fees and costs "based on the reasonableness of the fees, costs or expenses sought."
7 (*Id.*)

8 Accordingly,

- 9 1. The Clerk of the Court is directed to enter judgment in favor of plaintiff and
10 against defendant FCA US, LLC in the amount of \$166,777.32, plus reasonable
11 attorneys' fees and costs (Doc. No. 14);
- 12 2. Within twenty-one (21) days from the date of entry of this order, the parties shall
13 file a joint status report to inform the court whether the parties were able to resolve
14 the issue of attorneys' fees and costs among themselves; and
- 15 3. If the parties are unable to resolve the issue of attorneys' fees and costs, then
16 plaintiffs shall file their motion for attorneys' fees and costs by no later than thirty
17 (30) days from the date of entry of this order.

18 IT IS SO ORDERED.

19 Dated: October 16, 2023

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21 DALE A. DROZD
22 UNITED STATES DISTRICT JUDGE
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